

1 NICHOLAS A. TRUTANICH  
2 United States Attorney

3 GREG ADDINGTON  
4 Nevada State Bar No. 6875  
5 Assistant United States Attorney  
6 Bruce R. Thompson U.S. Courthouse & Fed. Bldg.  
7 400 South Virginia Street, Suite 900  
Reno, Nevada 89501  
(775) 784-5438  
[Greg.Addington@usdoj.gov](mailto:Greg.Addington@usdoj.gov)

8 UNITED STATES DISTRICT COURT

9 FOR THE DISTRICT OF NEVADA

10 Kartika Shetty, M.D., F.A.C.P. ) 2:20-cv-00909-KJD-BNW  
11 )  
12 Plaintiff, ) STIPULATION AND REQUEST  
v. ) TO EXTEND DATE FOR FEDERAL  
13 ) DEFENDANTS TO FILE RESPONSE  
U.S. Citizenship and Immigration Services, et al. ) TO COMPLAINT (fourth request)  
14 )  
15 Defendants. ) Current Date: January 11, 2021  
 ) New Date: February 10, 2021

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16 It is hereby agreed and stipulated by all parties, through their respective counsel, that the  
17 due date for the federal Defendants to file their response to Plaintiff's Complaint (*Dkt. 1*) may  
18 be extended by thirty (30) days to February 10, 2021. This is the fourth request to extend  
20 Defendants' deadline to respond to the complaint. It is requested that the Court approve this  
21 requested extension of time based on the following:

22 1. Plaintiff Kartika Shetty filed his complaint (*Dkt. 1*) on May 20, 2020. The  
23 complaint seeks to challenge the denial of Shetty's filed "EB-1" visa petition which sought  
25 classification of Shetty as an alien with extraordinary ability in the field of internal medicine  
26 education. *See* Complaint (*Dkt. 1*) ¶ 1.

27 2. By stipulated Order (*Dkt. 18*) entered on July 17, 2020, the deadline for the  
28

1 Defendant federal agencies to respond to the complaint was extended until October 26, 2020,  
2 to allow Defendant USCIS time to issue an administrative request for evidence (RFE) to obtain  
3 additional information from Plaintiff relevant to his visa application.

4 3. By stipulated Order (*Dkt. 20*) entered on October 14, 2020, the deadline for the  
5 Defendant federal agencies to respond to the complaint was extended until December 11, 2020,  
6 based on the expectation that additional information relevant to Plaintiff's visa application would  
7 be received by USCIS and to allow time for the adjudication officer to review the materials.

8 4. By stipulated Order (*Dkt. 22*) entered on December 4, 2020, the deadline for the  
9 Defendant federal agencies to respond to the complaint was extended until January 11, 2021, to  
10 provide additional time for the USCIS adjudication officer to review the voluminous materials  
11 submitted by Shetty and to issue a visa eligibility determination.

12 5. The USCIS adjudication officer completed the eligibility assessment and issued a  
13 decision by letter dated December 28, 2020.

14 6. The requested extension of time is requested in order to provide time for Plaintiff  
15 to review the decision letter submitted by USCIS and allow the parties to confer to determine the  
16 next steps or whether this matter can be resolved without further litigation or action from this  
17 court.

18 Based on the foregoing, the parties request the Court approve the stipulation and the

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1 proposed extension of time to February 10, 2021, for the filing of Defendants' response to the  
2 Complaint.

4 DATED January 8, 2021

Respectfully submitted,

6 /s/ Daniel P. Pierce  
7 DANIEL P. PIERCE  
Counsel for Plaintiff

6 /s/ Greg Addington  
7 GREG ADDINGTON  
Counsel for Federal Defendants

9 ORDER

10 **IT IS SO ORDERED**

11 **DATED:** 4:08 pm, January 11, 2021

12 

13  
14 **BRENDA WEKSLER**  
15 **UNITED STATES MAGISTRATE JUDGE**